

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

Valuation of Security Assumption of Executory Contract or Unexpired Lease Lien Avoidance

Last revised: August 1, 2020

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re: Case No.: 18-28721
BRETT A. ROVANI Judge: JNP

Debtor(s)

Chapter 13 Plan and Motions

☐ Original ☒ Modified/Notice Required Date: October 12, 2021
☐ Motions Included ☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the *Notice*. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: RSH Initial Debtor: BAR Initial Co-Debtor: _____

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 545.00 per month to the Chapter 13 Trustee, starting on November 1, 2021 for approximately remaining 23 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: _____

☐ Refinance of real property:

Description:

Proposed date for completion: _____

☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection ☒ NONE

a. Adequate protection payments will be made in the amount of \$ _____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWED BY STATUTE
ATTORNEY FEE BALANCE	ADMINISTRATIVE	BALANCE DUE: \$ 3,160.00
DOMESTIC SUPPORT OBLIGATION		
State of N.J. - Division of Taxation	Priority - Taxes Owed	\$1,709.56
Hoffman DiMuzio - Supplemental Chapter 13 Attorney Fee	Administrative	\$800.00

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:
Check one:

☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount.		

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☒ **NONE**

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☐ **NONE**

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Ally Financial	2016 Chevrolet Tahoe	\$1,952.48	7.39%	\$1,952.48	\$949.00

c. Secured claims excluded from 11 U.S.C. 506: ☒ **NONE**

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☒ **NONE**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this Section ALSO REQUIRES
the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ☒ **NONE**

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

f. Secured Claims Unaffected by the Plan ☐ NONE

The following secured claims are unaffected by the Plan:

Mortgage with Rushmore Loan Management Services, Inc., to be paid monthly outside of the Plan.

Payments to Disney Vacation Development, Inc., are made by Debtor's mother directly to the creditor outside of the Plan.

g. Secured Claims to be Paid in Full Through the Plan: ☒ NONE

Creditor	Collateral	Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims ☐ NONE

a. Not separately classified allowed non-priority unsecured claims shall be paid:

☐ Not less than \$ _____ to be distributed *pro rata*

☒ Not less than 100 percent

☐ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases ☒ NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment

Part 7: Motions ☒ NONE

NOTE: All plans containing motions must be served on all affected lienholders, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal*, and *valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f). ☐ NONE

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☐ NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☐ NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☐ Upon confirmation
☒ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Administrative Expenses
- 3) Priority Claims
- 4) Unsecured Claims

d. Post-Petition Claims

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☐ NONE

NOTE: Modification of a plan does not require that a separate motion be filed. A modified plan must be served in accordance with D.N.J. LBR 3015-2.

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: April 16, 2019.

Explain below **why** the plan is being modified:

Debtor obtained a Loan Modification with pre and post-petition arrears incorporated into the Loan Modification.

Explain below **how** the plan is being modified:

Part 1(a) - lower Plan payments for the balance of the Plan.
Part 3(a) - reflect Supplemental Attorney Fees to be paid through Plan.
Part 4(a) - remove arrears to be paid to mortgage company through Plan.
Part 4(f) - reflect that mortgage will be paid monthly outside Plan.

Are Schedules I and J being filed simultaneously with this Modified Plan?

☐ Yes

☒ No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to Local Form, *Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date: October 12, 2021

/s/ Brett A. Rovani
Debtor

Date: _____

Joint Debtor

Date: October 12, 2021

/s/ Richard S. Hoffman, Jr.
Attorney for Debtor(s)

In re:
Brett A. Rovani
Debtor

Case No. 18-28721-JNP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin

Page 1 of 3

Date Rcvd: Oct 13, 2021

Form ID: pdf901

Total Noticed: 42

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 15, 2021:

Recip ID	Recipient Name and Address
db	+ Brett A. Rovani, 149 Windsor Way, Mount Royal, NJ 08061-1108
cr	+ Rushmore Loan Management Services, Friedman Vartolo LLP, 85 Broad Street, Suite 501, New York, NY 10004-1734
cr	+ Rushmore Loan Management Services, LLC as servicer, Friedman Vartolo, LLP, 85 Broad St, 85 Broad St, New York, NY 10004-2434
cr	+ Rushmore Loan Management Services, LLC as servicer, Friedman Vartolo, LLP, 85 Broad Street, Suite 501, 85 Broad Street, Suite 501, New York, NY 10004-1734
cr	+ Seterus, Inc., authorized subservicer for Federal, P.O. Box 1047, Hartford, CT 06143-1047
517766028	+ Actlien Holding Inc., 501 Centennial Street, Schwenksville, PA 19473-1817
519258347	+ Ally Capital, AIS Portfolio Services, LP, 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
517766030	+ Apex Asset Mgmt., 2501 Oregon Pike, Suite 102, Lancaster, PA 17601-4890
517766033	+ Disney Vacation Development Inc., 1851 Community Drive, Lake Buena Vista, FL 32830
517766034	+ Greenwich Crossing Homeowners Assoc., 160 Dominion Drive, Mount Royal, NJ 08061
517766035	+ Lourdes Cardiology Services, PC, 63 Kresson Road, Suite 101, Cherry Hill, NJ 08034-3200
518408576	+ MTGLQ Investors, L.P., c/o Specialized Loan Servicing LLC, 8742 Lucent Blvd, Suite 300, Highlands Ranch, Colorado 80129-2386
518590050	+ MTGLQ Investors, L.P. c/o Shellpoint Mortgage Serv, P.O. Box 10826, Greenville, SC 29603-0826
518590051	+ MTGLQ Investors, L.P. c/o Shellpoint Mortgage Serv, P.O. Box 10826, Greenville, SC 29603-0826, MTGLQ Investors, L.P. c/o Shellpoint Mor, P.O. Box 10826 Greenville, SC 29603-0826
517766846	+ Michele Rovani, 149 Windsor Way, Mount Royal, NJ 08061-1108
518071509	++ STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245, TRENTON NJ 08646-0245 address filed with court:, State of New Jersey, Division of Taxation, Bankruptcy Section, PO Box 245, Trenton, NJ 08695-0245
517766036	+ Seterus, Inc., Pluese, Becker & Saltzman, LLC, 20000 Horizon Way, Suite 900, Mount Laurel, NJ 08054-4318
517766037	+ Seterus, Inc., Attn: Bankruptcy Department, PO Box 2206, Grand Rapids, MI 49501-2206
517787930	+ Seterus, Inc., authorized subservicer, PO Box 1047, Hartford, CT 06143-1047
518077584	+ Specialized Loan Servicing LLC, 8742 Lucent Blvd, Suite 300, Highlands Ranch, Colorado 80129-2386
518077585	+ Specialized Loan Servicing LLC, 8742 Lucent Blvd, Suite 300, Highlands Ranch, Colorado 80129, Specialized Loan Servicing LLC, 8742 Lucent Blvd, Suite 300 Highlands Ranch, Colorado 80129-2386
517766038	+ State of New Jersey, Division of Taxation, Revenue Processing Center, P.O. Box 999, Trenton, NJ 08646-0999
518834112	+ U.S. Bank Trust National Association, as trustee of Tiki Series IV Trust, c/o Rushmore Loan Management Services, P.O. Box 55004, Irvine, CA 92619-5004
518834113	+ U.S. Bank Trust National Association, as trustee of Tiki Series IV Trust, c/o Rushmore Loan Management Services, P.O. Box 55004, Irvine, CA 92619-2708 U.S. Bank Trust National Association 92619-5004
519016254	+ U.S. Bank Trust National Association,, as Trustee of Dwelling Series IV Trust, c/o Rushmore Loan Management Services, P.O. Box 55004, Irvine, CA 92619-5004
519016255	+ U.S. Bank Trust National Association,, as Trustee of Dwelling Series IV Trust, c/o Rushmore Loan Management Services, P.O. Box 55004, Irvine, CA 92619-5004 U.S. Bank Trust National Association,
518701477	+ c/o Rushmore Loan Management Services LLC, 15480 Laguna Canyon Rd., Suite 100, Irvine, CA 92618-2132
518701478	+ c/o Rushmore Loan Management Services LLC, 15480 Laguna Canyon Rd., Suite 100, Irvine, CA 92618, c/o Rushmore Loan Management Services LL, 15480 Laguna Canyon Rd., Suite 100 Irvine, CA 92618-2132

TOTAL: 28

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
smg	Email/Text: usanj.njbankr@usdoj.gov	Oct 13 2021 20:25:00	U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
smg	+ Email/Text: ustpreion03.ne.ecf@usdoj.gov	Oct 13 2021 20:25:00	United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235

District/off: 0312-1

User: admin

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Date Rcvd: Oct 13, 2021

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Total Noticed: 42

517801655	Email/Text: ally@ebn.phinsolutions.com	Oct 13 2021 20:24:00	Ally Capital, PO Box 130424, Roseville MN 55113-0004
517766029	+ Email/Text: ally@ebn.phinsolutions.com	Oct 13 2021 20:24:00	Ally Financial, PO Box 380901, Minneapolis, MN 55438-0901
517824264	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Oct 13 2021 20:23:13	Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083
517766031	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Oct 13 2021 20:23:31	Capital One Bank USA NA, 10700 Capital One Way, Richmond, VA 23060-9243
517841795	+ Email/Text: bankruptcy@capvs.com	Oct 13 2021 20:25:00	Cavalry SPV I, LLC, 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-2321
517766032	Email/Text: mrdiscen@discover.com	Oct 13 2021 20:24:00	Discover Financial Services, PO Box 15316, Wilmington, DE 19850
518578829	Email/PDF: resurgentbknotifications@resurgent.com	Oct 13 2021 20:24:00	LVNV Funding LLC, PO Box 10587, Greenville, SC 29603-0587, LVNV Funding LLC, PO Box 10587, Greenville, SC 29603-0587
518578828	Email/PDF: resurgentbknotifications@resurgent.com	Oct 13 2021 20:24:01	LVNV Funding LLC, PO Box 10587, Greenville, SC 29603-0587
517889434	+ Email/Text: bncmail@w-legal.com	Oct 13 2021 20:25:00	SYNCHRONY BANK, c/o Weinstein & Riley, PS, 2001 Western Ave., Ste 400, Seattle, WA 98121-3132
517766039	Email/PDF: gecsed@recoverycorp.com	Oct 13 2021 20:23:35	SyncB/Care Credit, PO Box 965036, Orlando, FL 32896-5036
518545831	+ Email/PDF: gecsed@recoverycorp.com	Oct 13 2021 20:23:43	Synchrony Bank, c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk VA 23541-1021
517876551	+ Email/PDF: EBN_AIS@AMERICANINFOSOURCE.COM	Oct 13 2021 20:34:18	Verizon, by American InfoSource as agent, 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901

TOTAL: 14

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 15, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 12, 2021 at the address(es) listed below:

Name	Email Address
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District/off: 0312-1

User: admin

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Form ID: pdf901

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Denise E. Carlon

on behalf of Creditor MTGLQ INVESTORS L.P. dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com

Isabel C. Balboa

ecfmail@standingtrustee.com summarymail@standingtrustee.com

Jonathan C. Schwalb

on behalf of Creditor Rushmore Loan Management Services bankruptcy@friedmanvartolo.com

Jonathan C. Schwalb

on behalf of Creditor Rushmore Loan Management Services LLC as servicer for U.S. Bank Trust National Association, as Trustee of the Tiki Series IV Trust bankruptcy@friedmanvartolo.com

Jonathan C. Schwalb

on behalf of Creditor Rushmore Loan Management Services LLC as servicer for U.S. Bank Trust National Association, as Trustee of Dwelling Series IV Trust bankruptcy@friedmanvartolo.com

Rebecca Ann Solarz

on behalf of Creditor MTGLQ INVESTORS L.P. rsolarz@kmlawgroup.com

Richard S. Hoffman, Jr.

on behalf of Debtor Brett A. Rovani rshoffman@hoffmandimuzio.com
lmcevoy@hoffmandimuzio.com;jslachetka@hoffmandimuzio.com;hoffmanrr81909@notify.bestcase.com

Robert P. Saltzman

on behalf of Creditor Seterus Inc., authorized subservicer for Federal National Mortgage Association ("Fannie Mae"), a corporation and existing under the laws of the United States of America dnj@pbslaw.org

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 9